

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY- , FEBRUARY 8 , 1977

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening February 8 A.D., 1977, in Regular Session. President John Nuckols in the chair, and Charles W. Westerman Clerk, at the desk, present the following members \_\_\_\_\_ viz:

BURNS <u>✓</u>	HINGA <u>✓</u>	HUNTER <u>✓</u>
MOSES <u>✓</u>	NUCKOLS <u>✓</u>	DONALD SCHMIDT <u>✓</u>
VIVIAN SCHMIDT <u>✓</u>	STIER <u>✓</u>	TALARICO <u>✓</u>
ABSENT _____		
COUNCILMAN _____, _____, _____,		
_____, _____, _____,		

The invocation was given by Reverend Carl Schlutz -  
Emmaus Lutheran Church

Received report from the City Controller for the month of December, 1976. Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular January 25<sup>th</sup>, 1977,  
Special \_\_\_\_\_, 1977.

Session having been delivered to the Council, were, on motion, approved and published.

## CITY CONTROLLER'S AND CITY TREASURER'S FINANCIAL STATEMENT

DECEMBER, 1976

INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
General Fund				1,000,000.00-		1,000,000.00-	
Utilities-Electric	2,600,000.00-	2,400,000.00	200,000.00-	6,750,000.00-	2,200,000.00-	8,950,000.00-	2,400,000.00-
Utilities-Water	1,200,000.00-	450,000.00	750,000.00-	6,950,000.00-	300,000.00-	7,250,000.00-	1,050,000.00-
Utilities-Sewer	9,350,000.00-	7,250,000.00	2,100,000.00-	68,050,000.00-	7,200,000.00-	75,250,000.00-	9,300,000.00-
R-51 AWB	90,000.00-		90,000.00-	270,000.00-		270,000.00-	90,000.00-
Aviation	150,000.00-	150,000.00		2,165,000.00-		2,165,000.00-	
Park General	300,000.00-		300,000.00-	3,360,000.00-		3,360,000.00-	300,000.00-
Park Trust	230,000.00-	230,000.00		1,785,000.00-	173,000.00-	1,958,000.00-	173,000.00-
Motor Vehicle Fund	915,000.00-	315,000.00	600,000.00-	1,406,000.00-	200,000.00-	1,606,000.00-	800,000.00-
Revenue Sharing	2,160,000.00-	1,160,000.00	1,000,000.00-	6,660,000.00-	1,080,000.00-	7,740,000.00-	2,080,000.00-
Fire Pension				100,000.00-		100,000.00-	
Police Pension				50,000.00-		50,000.00-	
Park Cum. Capital	160,000.00-	160,000.00		1,389,000.00-	247,000.00-	1,636,000.00-	247,000.00-
Ind. Sub. Sewer CU				1,163,800.00-		1,163,800.00-	
Street Bond				4,585,000.00-	500,000.00-	5,085,000.00-	500,000.00-
Street Bond Retirement				800,000.00-		800,000.00-	
Investments	591,000.00-	591,000.00		17,911,000.00-		17,911,000.00-	
Redevelopment/W. Main	1,400,000.00-	1,300,000.00	100,000.00-	3,000,000.00-	1,300,000.00-	4,300,000.00-	1,400,000.00-
Parking Meters				100,000.00-		100,000.00-	
Anti Recession PWJP	159,000.00-	159,000.00		159,000.00-	100,000.00-	259,000.00-	100,000.00-
Local Road & Streets					500,000.00-	500,000.00-	500,000.00-
TOTALS	19,305,000.00-	14,165,000.00	5,140,000.00-	127,653,800.00-	13,800,000.00-	141,453,800.00-	18,940,000.00-

DATE 2/1/82 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

## CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF DECEMBER , 1976

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
GENERAL FUND	329,253.55-	3,756,679.81	3,427,426.26	18,621,289.76	3,212,552.23	21,833,841.99	214,874.03
UTILITIES-ELECTRIC	55,663.63	2,746,721.56	2,802,385.15	10,471,765.53	2,752,472.64	13,224,242.19	49,912.53
UTILITIES-WATER	83,208.04	508,602.39	591,810.43	12,615,137.40	530,841.56	13,445,978.96	160,968.87
UTILITIES-SEWER	66,577.14	7,832,854.42	7,899,431.56	87,802,722.13	7,787,759.60	95,590,481.73	111,671.96
CIVIL CITY PAYROLL	66,559.05	1,775,226.74	1,843,225.75	14,078,180.62	1,816,934.08	15,895,114.70	26,851.71
COOPER TRUST FUND		381.48	381.48	2,556.90	191.84	3,189.74	189.64
R-51 ANTHONY WAYNE BANK	4,648.42	0.00	4,648.42	272,295.12	13.80	272,308.92	4,634.62
CETA	320,072.45	421,126.04	741,198.49	6,649,434.15	788,252.92	7,437,687.07	47,054.43
AVIATION	495,251.34	353,508.55	848,759.89	3,755,139.62	469,746.95	4,244,886.57	359,012.94
PARK GENERAL	97,098.43	774,819.54	871,917.97	6,780,130.52	321,235.15	7,101,365.67	356,485.96
PARK TRUST	47,760.17	432,474.35	384,714.18	2,165,774.61	277,219.42	2,442,994.03	107,454.76
REDEVELOPMENT GENERAL	43,045.44	33,073.84	76,119.28	71,232.47	20,465.62	51,702.09	55,645.66
HARVESTER DRAIN	0.00	0.00	0.00	115,423.95	0.00	115,423.95	0.00
R-53 REVOLVING FUND	13,775.82	21,069.11	34,844.93	95,777.86	11,935.48	107,713.34	22,909.45
MOTOR VEHICLE HIGHWAY FUND	79,981.97	464,541.91	384,559.54	3,870,449.34	486,709.64	4,357,158.98	102,148.70
PARKING METERS	136,100.70	17,006.45	153,107.15	215,934.23	8,115.74	224,050.97	144,927.41
SEWER RELIEF	15,702.52	23,581.89	7,879.37	309,263.66	0.00	309,263.66	7,879.37
PARKING GARAGE	50,591.35	5,781.76	45,209.55	139,409.32	8,220.59	147,629.91	53,430.18
PUBLIC LIGHTING	124,091.54	20,383.91	103,707.67	240,986.33	1,452.84	242,439.17	105,160.47
REVENUE SHARING TRUST FUND	66,115.13	1,915,703.89	1,847,534.76	9,524,428.10	1,555,047.25	11,079,475.35	292,537.51
OPEN SPACE PROGRAM	0.00	0.00	0.00	3,448.74	0.00	3,448.74	0.00
MURRAY TRUST	8,046.29	1,667.00	6,713.29	18,104.78	1,490.40	15,595.18	8,222.29
LOCAL ROAD AND STREETS	22,262.96	750,000.00	727,737.04	2,455,831.42	527,241.47	2,983,072.89	200,495.57
MUNICIPAL UTILITIES PENSION	10,531.52	9,493.13	20,024.65	110,077.93	9,493.13	119,571.06	10,531.52
FIRE PENSION FUND	199,092.19	311,275.74	112,183.55	1,320,146.75	102,546.14	1,422,692.89	9,637.41
POLICE PENSION FUND	135,190.35	305,261.90	170,071.55	1,201,275.76	106,361.15	1,307,736.91	63,710.40
SANITARY OFFICERS PENSION	3,995.78	15,911.19	19,910.97	60,356.94	5,860.44	66,216.98	14,050.53
FORT WAYNE ART SCHOOL	8,764.04	7,693.98	16,458.02	31,238.00	16,346.00	47,584.00	112.02
REDEVELOPMENT DISTRICT CAPITAL	474,080.86	0.00	474,080.86	96,270.04	337.43	96,707.47	473,743.43
CUMULATIVE CAPITAL IMPROVEMENT	228,865.71	441,902.93	213,037.22	722,500.64	355,556.22	1,078,056.86	142,519.00
FINE ARTS FOUNDATION	6,397.93	10,491.91	16,889.84	43,602.00	15,400.00	59,002.00	1,489.84
ACCIDENT REPORT ACCOUNT	13,206.20	1,988.00	15,194.20	12,450.14	989.21	13,439.35	14,204.59
FIRE REPORT ACCOUNT	0.00	0.00	0.00	64.80	0.00	64.80	0.00
PAYROLL PENSION FUND	0.30	211,296.03	211,295.73	2,414,425.61	211,295.73	2,625,721.74	0.00
CRIME PREVENTION BUREAU TRUST	63.00	0.00	63.00	0.00	0.00	0.00	63.00
FT. WAYNE FIREFIGHTING FUND	60,307.00	100,000.00	160,307.00	112,643.36	0.00	112,643.36	160,307.00
PARK CLK. BLDG. FUND	287.67	160,757.23	161,084.50	1,585,000.00	260,150.00	1,845,150.00	59,065.10
IND. SEW. SEWER-CITY UTILITIES	0.00	0.00	0.00	1,337,933.75	0.00	1,337,933.75	0.00
IND. IPA GRANT	93.94	0.00	93.94	0.00	0.00	0.00	93.94
IND. A-14 REDEVELOPMENT	10,769.35	0.00	10,769.35	101,534.84	247.65	101,782.49	10,521.70
CHINUS CRIME CONTROL	34,647.47	3,561.10	38,208.57	183,863.84	11,540.22	195,404.06	26,668.35
EMERGENCY MEDICAL SERVICE	5,927.48	104,866.46	98,938.98	434,763.18	98,938.98	533,702.16	0.00
LILLY ENDOWMENT FUND	0.00	0.00	0.00	421.44	0.00	421.44	0.00
CETA PAYROLL FUND	35,513.58	708,502.85	744,016.43	5,151,217.27	741,367.62	5,892,584.89	2,648.81
JUNK CAR FUND	6,689.34	0.00	6,689.34	1,287.41	144.00	1,431.41	6,545.34
INNER CITY STORM RELIEF PROJ.	15,532.02	0.00	19,532.02	12,367.17	18,304.67	30,671.84	1,227.35

## CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF DECEMBER, 1976

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
STREET BOND FUND/1975	651,829.72	75,000.00	726,829.72	4,913,314.54	583,232.29	5,496,546.83	143,597.43
STREET BOND RETIREMENT FUND	6,873.56	0.00	6,873.56	1,257,306.25	158,722.50	1,456,028.75	191,848.94
CITY SPIRIT GRANT	374.10	0.00	374.10	23,266.41	374.12	23,640.53	0.02
FEDERAL REVOLVING FUND	16,979.66	10,325.00	27,304.66	154,057.11	9,522.76	163,579.87	17,781.90
COMMUNITY RENEWAL PROGRAM	4,787.38	0.00	4,787.38	23,970.81	9,034.15	33,004.96	4,246.77
IPA	58.43	0.00	58.43	0.00	0.00	0.00	58.43
COMMUNITY DEVELOPMENT GRANT	65,255.12	320,000.00	234,744.88	1,323,192.05	217,762.87	1,540,954.92	16,982.01
S-K PRODUCTIVITY STUDY	0.00	0.00	0.00	7,726.91	0.00	7,726.91	0.00
RECREATIONAL SUPPORT PROG.1975	16,645.48	0.00	16,645.48	16,721.47	13,143.50	25,864.97	3,501.98
INVESTMENTS	591,000.00	591,000.00	0.00	19,536,000.00	0.00	19,536,000.00	0.00
REDEVELOPMENT/W.MAIN ST. PROJ.	225,608.17	1,300,000.00	1,529,668.17	3,738,333.34	1,345,004.93	5,083,338.27	184,663.24
REDEVELOPMENT DIST.BOND FUND	14,812.76	24,627.78	39,440.54	0.00	0.00	0.00	39,440.54
E.D.A. GRANT	24,550.05	10,365.00	34,915.05	445.55	1,231.71	1,681.66	33,683.34
ANTI RECESSION PWJP	201.00	159,701.70	159,902.70	159,000.00	100,000.00	259,000.00	59,902.70
E.E.O.C. - 706 CONTRACT	10,000.00	0.00	10,000.00	0.00	3,094.76	3,094.76	6,905.24

TOTALS	876,381.04	27,138,945.09	28,015,326.13	226,389,350.27	25,333,909.42	251,723,259.69	2,681,416.71
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ADJUSTMENTS (EXPLAIN FULLY)

BALANCE (COL. 7 MUST AGREE WITH COL. 8)






FORT WAYNE, INDIANA 46802

office of the mayor

January 28, 1977

To the Common Council  
Gentlemen and Mrs. Schmidt:

MADE A MATTER OF RECORD  
DATE 2/9/77 CHARLES W. WESTERMAN, CITY CLERK  


Today, January 28, 1977, I have approved the following ordinances passed by Common Council at its regular meeting on January 25, 1977.

(Bill No. A-76-11-15)

(As Amended)

APPROPRIATION ORDINANCE NO. A-01-77

AN ORDINANCE appropriating certain monies from the Community Development Block Grant to Neighborhood Care, Inc.

(Bill No. S-77-01-02)

SPECIAL ORDINANCE NO. S-07-77

AN ORDINANCE approving a contract with Midwest Fire & Safety Equipment Co., Inc. for materials for the Fort Wayne Fire Department

(Bill No. S-77-01-04)

SPECIAL ORDINANCE NO. S-09-77

AN ORDINANCE approving Change Order No. 8 - GC in connection with Project No. 7515 Senior Citizen Center

(Bill No. S-77-01-05)

SPECIAL ORDINANCE NO. S-10-77

AN ORDINANCE approving a contract with Harrison House Food Service, Div. of Super Valu Stores for Food Service Equipment in the New Senior Citizen Center

(Bill No. S-76-12-41)

SPECIAL ORDINANCE NO. S-11-77

AN ORDINANCE approving the contracts with Poinssatte Motors, Inc., and Hefner Chevrolet, Inc. for vehicles for the Board of Public Works



(Bill No. S-77-01-08)  
SPECIAL ORDINANCE NO. S-12-77

AN ORDINANCE approving Change Order No. 2 in connection with 1975 Resurfacing Contract "C"

(Bill No. S-77-01-09)  
SPECIAL ORDINANCE NO. S-13-77

AN ORDINANCE approving Change Orders No. 1 thru 4 in connection with Southwood Park Addition, Resolution No. 111-75

(Bill No. S-77-01-10)  
SPECIAL ORDINANCE NO. S-14-77

AN ORDINANCE approving Change Order No. 1 in connection with W. O. 51256, Resolution No. 112-75

(Bill No. S-77-01-11)  
SPECIAL ORDINANCE NO. S-15-77

AN ORDINANCE approving a contract with Continental Construction Company, Inc., for Resolution No. 5731-1976: Hanna & Creighton Area

(Bill No. S-77-01-12)  
SPECIAL ORDINANCE NO. S-16-77

AN ORDINANCE approving a contract with Brooks Construction Company for Resolution No. 5732-1976: Pontiac Street

(Bill No. S-77-01-13)  
SPECIAL ORDINANCE NO. S-17-77

AN ORDINANCE approving a contract with Hipskind Asphalt Corporation for Resolution No. 5733-1976: Oxford Impact Area Year II

(Bill No. S-77-01-14)  
SPECIAL ORDINANCE NO. S-18-77

AN ORDINANCE approving a contract with Wayne Asphalt and Construction Co., Inc., for Resolution No. 5744-1976

(Bill No. S-77-01-15)  
SPECIAL ORDINANCE NO. S-19-77

AN ORDINANCE approving a contract with Hipskind Asphalt Corporation for Resolution No. 5740-1976

(Bill No. S-77-01-16)  
SPECIAL ORDINANCE NO. S-20-77

AN ORDINANCE approving a contract with Wayne Asphalt & Construction Company Inc., for Resolution No. 5741-1976

(Bill No. S-77-01-17)  
SPECIAL ORDINANCE NO. S-21-77

AN ORDINANCE approving a contract with Continental Construction Company, Inc., for Resolution No. 5734-1976: Oxford Phase II

(Bill No. S-77-01-18)  
SPECIAL ORDINANCE NO. S-22-77

AN ORDINANCE approving a contract with Wayne Asphalt & Construction Co., for materials and pavement widening work for the Board of Public Works

(Bill No. S-77-01-19)  
SPECIAL ORDINANCE NO. S-23-77

AN ORDINANCE approving a contract with Moellering Construction Company, Inc., for Plaza, Walks, Parking, and Related Amenities for the New Senior Citizen Center

(Bill No. S-77-01-20)  
SPECIAL ORDINANCE NO. S-24-77

AN ORDINANCE approving a contract with Continental Construction Company, Inc., for Resolution No. 5726-1976: Alley

(Bill No. S-76-12-28)  
SPECIAL ORDINANCE NO. S-25-77

AN ORDINANCE approving blanket purchase order for materials for the Office Services Department

(Bill No. S-76-12-47)  
SPECIAL ORDINANCE NO. S-26-77

AN ORDINANCE approving Change Order No. 12 in connection with Division I of Water Pollution Control Plant Expansion

(Bill No. S-77-01-21)  
(As Amended)  
SPECIAL ORDINANCE NO. S-27-77

AN ORDINANCE approving a purchase order for correction of a drainage in the area of Sherman Blvd. for the Board of Public Works

(Bill No. S-77-01-22)

(As Amended)

SPECIAL ORDINANCE NO. S-28-77

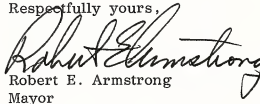
AN ORDINANCE approving a blanket purchase order for purchase of Electric Lamps for the Street Lighting Department

(Bill No. S-77-01-03)

SPECIAL ORDINANCE NO. S-08-77

AN ORDINANCE approving a contract for the purchase of real estate at 1421 Oxford Street

Respectfully yours,

A handwritten signature in black ink, appearing to read "Robert E. Armstrong", is written over the printed name and title.

Robert E. Armstrong  
Mayor





FORT WAYNE, INDIANA 46802

office of the mayor

January 31, 1977

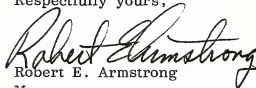
To the Common Council  
Gentlemen and Mrs. Schmidt:


Today, January 31, 1977, I have approved the following ordinance passed by  
Common Council at its regular meeting on January 25, 1977.

(Bill No. R-77-01-25)  
RESOLUTION NO. R-03-77

A RESOLUTION URGING THE GENERAL ASSEMBLY TO TAKE STEPS TO ASSURE  
THE CONTINUANCE OF GRANTS TO THE PUBLIC TRANSPORTATION CORPORATIONS

Respectfully yours,

  
Robert E. Armstrong  
Mayor

MADE A MATTER OF RECORD  
DATE 2/8/77 CHARLES W. WESTERMAN, CITY CLERK 





FORT WAYNE, INDIANA 46802

office of the mayor

February 4, 1977

TO THE MEMBERS OF THE COMMON COUNCIL:

After much deliberation, I have decided to veto Bill No. G-77-01-24 (as amended), General Ordinance No. G-04-77. I have taken this action after careful consideration for the following reasons:

State statutes already seem to cover the same area attempted to be regulated by this ordinance. In addition, the ordinance creates for one department of city government, i. e., Community Development and Planning, a different set of rules than for any other department of city government. Such action creates additional handling and time for both the administration and the Common Council.

The state statutes dealing with this matter are: I. C. 5-17-1-1 through and including I. C. 5-17-1-9. This act specifically provides that any purchase in excess of \$4,000 must be properly bid and contracted for, and that upon receiving a satisfactory bid, a contract may be awarded to the lowest and best bidder. The statute excludes the necessity for entering into a contract for items costing less than \$4,000. I would point out that the ordinance uses an amount of \$2,000.

I. C. 18-5-3-1 deals with the sale or exchange of real estate by the city, and requires City Council approval. I. C. 18-5-3.3-1 provides for the leasing of real estate by the city.

In addition to the state statutes mentioned, the Indiana Legislature is currently considering increasing the minimum amounts required for receiving bids from \$4,000 to \$15,000. In light of that proposal, it would seem unwise for the City of Fort Wayne to reduce the amount from \$4,000 to \$2,000. Additionally, the Common Council has expressed no reason for having a lower amount or a more burdensome requirement for the Department of Community Development and Planning than is required by state statute.



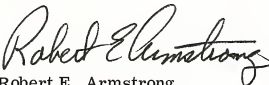
Page Two  
Members of the Common Council  
February 4, 1977

While I am most anxious to have the City Council be fully informed as to the conduct of city business by this administration, I believe it is unwise to put an additional bureaucratic burden upon the various departments of city government and upon the Common Council itself to consider routine matters by way of city ordinance. I believe such action tends to detract from the Common Council's deliberation and consideration of the many important decisions which must be made. The volume of city ordinances that will have to be presented to Common Council by virtue of this ordinance will be increased substantially. It is my hope that more attention can be placed upon those items and those decisions which must be made with dispatch concerning the future of our community.


While I do not wish in any way to discourage your active interest in every facet of city government, I do believe that it would be wise for the Common Council to reconsider its action in creating this additional burden both upon the administration and on Common Council and I ask that you uphold this veto.

I attach hereto a letter from the president of Neighborhood Care, Inc., Mr. Ian Rolland, regarding his view of the ordinance.

Dated this 4th day of February, 1977.

  
Robert E. Armstrong  
Mayor

REA:ip  
Attachment

MADE A MATTER OF RECORD  
DATE 2/8/77 CHARLES W. WESTERMAN, CITY CLERK  


CERTIFIED COPY OF MOTION

At a regularly held Committee Session of the Common Council of the City of Fort Wayne, Indiana, the following motion was duly made, seconded and unanimously passed:


Motion by Winfield C. Moses, Jr., :


Mr. President, I move that this Council duly authorize its President John Nuckols to meet with Mayor Robert E. Armstrong on February 2, 1977, for the purpose of recommending to the Mayor that a representative group of merchants and other interested people in the City of Fort Wayne devise a plan whereby hours of business establishments be eliminated on Sunday in those non-essential businesses to the end that by so doing energy will be conserved at least during the period of the next ensuing one (1) month.

Said motion was duly seconded by Council Fred Hunter.

The President then called for a voice vote. The voice vote was unanimous in support of said Resolution.

I hereby certify that the above is a true and exact copy of a Motion duly passed at a meeting of the Common Council of the City of Fort Wayne, held on February 1, 1977.



  
Charles W. Westerman  
Clerk of the Common Council of  
the City of Fort Wayne, Indiana

MADE A MATTER OF RECORD  
DATE 2-8-77 CHARLES W. WESTERMAN, CITY CLERK

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED ( ~~LOST~~ ) by the following vote:

*Note regarding - motion to be made as matter of record,*

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>6</u>	<u>3</u>	<input type="text"/>	<input type="text"/>	<input type="text"/>
BURNS	_____	<input checked="" type="checkbox"/>	_____	_____	_____
HINGA	<input checked="" type="checkbox"/>	_____	_____	_____	_____
HUNTER	_____	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	<input checked="" type="checkbox"/>	_____	_____	_____	_____
NUCKOLS	<input checked="" type="checkbox"/>	_____	_____	_____	_____
SCHMIDT, D.	_____	<input checked="" type="checkbox"/>	_____	_____	_____
SCHMIDT, V.	<input checked="" type="checkbox"/>	_____	_____	_____	_____
STIER	<input checked="" type="checkbox"/>	_____	_____	_____	_____
TALARICO	<input checked="" type="checkbox"/>	_____	_____	_____	_____

DATE: \_\_\_\_\_

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ( ZONING MAP ) ( GENERAL ) ( ANNEXATION ) ( SPECIAL ) ( APPROPRIATION )

ORDINANCE ( RESOLUTION ) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 1976.

ATTEST: ( SEAL )

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

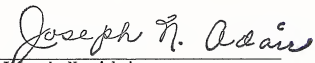
Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution of the City Plan Commission, passed at their regular meeting held January 24, 1977. This resolution concerns a proposed ordinance establishing TRINITY EPISCOPAL CHURCH as a Historical District.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
31st day of January, 1977.

  
\_\_\_\_\_  
Joseph N. Adair  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment, established a HISTORICAL DISTRICT, acted upon by the City Plan Commission at their regular meeting held January 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-76-12-08
2. Intended Use: Establishing TRINITY EPISCOPAL CHURCH  
as a HISTORICAL DISTRICT.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. We feel that the community will benefit from the preservation of this structure because of its architectural significance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary F. Baeten* (pr)  
Gary F. Baeten  
Land Use Administrator

GFB:pr  
ATT.



RESOLUTION FOR ESTABLISHING HISTORICAL DISTRICT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 14, 1977, referred a proposed zoning map amendment for the establishing of a HISTORICAL DISTRICT, to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-12-08; and,

WHEREAS: the required notice of public hearing on such proposed ordinance has been published as required by law; and,

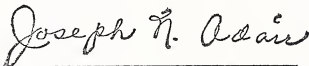
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

Certified and signed this  
31st day of January, 1977.



\_\_\_\_\_  
Joseph N. Adair  
Secretary



## STAFF ANALYSIS

TO: CITY PLAN COMMISSION  
BILL NO. Z-76-12-08

PREPARED BY: GARY BAETEN  
DATE: January 17, 1977

### GENERAL INFORMATION

Applicant:	The Rector, Wardens and Vestrymen of Trinity Episcopal Church Owners
Status of Applicant:	Establishment of a HISTORICAL DISTRICT
Requested Action:	Preservation of existing building B3B
Purpose:	South of Berry Street / West of Fulton Street / North of Wayne Street
Existing Zoning:	30,750 sq. ft.
Location:	Trinity Episcopal Church Commercial, professional office, public & Semi-public uses
Size:	Historical Districts prohibit exterior alteration or demolition without approval from the Board of Zoning Appeals
Existing Land Use:	
Surrounding Land Use & Zoning	
Applicable Regulations:	

### ANALYSIS

The staff recommends approval of this request because of the architectural significance of the structure.



MADE A MATTER OF RECORD  
DATE 2-8-77 CHARLES W. WESTERMAN, CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-12-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
31st day of January, 1977.

*Joseph N. Adair*

---

Joseph N. Adair  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 24, 1977.. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-76-12-10
2. Intended Use: Expansion of an existing shopping center  
for purpose of a branch bank
3. From: RA & B1B to B1B
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a. The requested change is a logical expansion of the present center.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary Baeten (pr)*

Gary F. Baeten  
Land Use Administrator

GFB:pr  
ATT.





RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 14, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-12-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

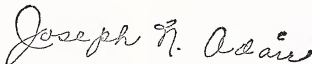
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

Certified and signed this  
31st day of January, 1977.



---

Joseph N. Adair  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-12-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
31st day of January, 1977.

*Joseph N. Adair*

Joseph N. Adair  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 31, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-76-12-07
2. From "R2" TO "R1"
3. Intended Use: Neighborhood stabilization
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a. The approval of this request will do a great deal to stabilize the neighborhood.
- b. The request includes an area that is over zoned in light of the extremely high percentage of single family uses.
- c. Through this zoning change we hope to stimulate interest in revitalization of homes that are in need of minor repair by discouraging further conversions.

If there are any questions with regard to this ordinance, please feel free to call on us. Please note attached staff report.

Respectfully submitted

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary Baeten (a)*

Gary F. Baeten  
Land Use Administrator

GFB:Pr  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 14, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-12-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan To be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

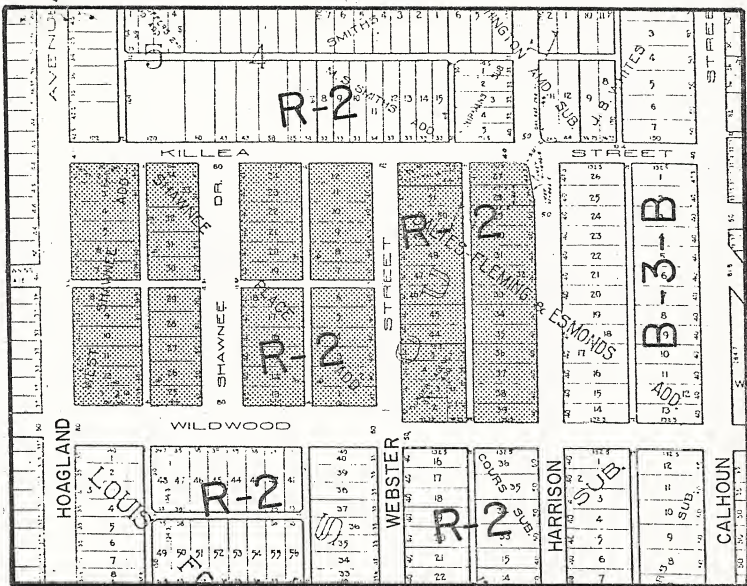
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.


Certified and signed this  
31st day of January, 1977.



---

Joseph N. Adair  
Secretary



 To be changed from R-2 to R-1

12-2-76

A-4

L.S.

3-76-12-07





## STAFF ANALYSIS

TO: CITY PLAN COMMISSION  
BILL NO. Z-76-12-07

PREPARED BY: GARY BAETEN  
DATE: January 17, 1977

## GENERAL INFORMATION

Applicant:	Owners of 94% of property owners
Status of Applicant:	Owner
Requested Action:	Rezone from R2 to R1
Purpose:	Neighborhood stabilization
Existing Zoning:	R2
Location:	Killea on the north, Harrison on the east, Wildwood on the South and Hoagland on the west
Size:	3 city blocks
Existing Land Use:	Residential
Surrounding Land Use & Zoning:	Residential - R2
Zoning History:	none in the immediate area
Applicable Regulations:	R1 zoning would not permit two family dwellings

## SPECIAL INFORMATION

Physical Characteristics:	The petition includes 59 lots. Of the 59 lots, only 4 are used for duplex purposes
---------------------------	--

## Analysis

The staff recommends DO PASS for the following reasons:

1. The approval of this request will do a great deal to stabilize the neighborhood.
2. The request includes an area that is over zoned in light of the extremely high percentage of single family uses.
3. Through this zoning change we hope to stimulate interest in revitalization of homes that are in need of minor repair by discouraging further conversions.



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

MADE A MATTER OF RECORD  
DATE 2-8-77 CHARLES W. WESTERMAN, CITY CLERK

February 7, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

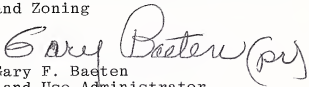
Attached hereto is a copy of a resolution pertaining to one (1) vacation ordinance amendment.

1. Bill No. G-76-10-13
2. Intended Use: Vacation of a portion of Springwood,  
Section II, Addition
3. This ordinance was requested to be WITHDRAWN by written request of the attorney representing the petitioners, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Sincerely,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

  
Gary F. Baeten  
Land Use Administrator

GFB:Pr

ATT.



RESOLUTION OF SUBDIVISION VACATION ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 12, 1976, referred a proposed vacation map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-76-10-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on January 17, 1977; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioners;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

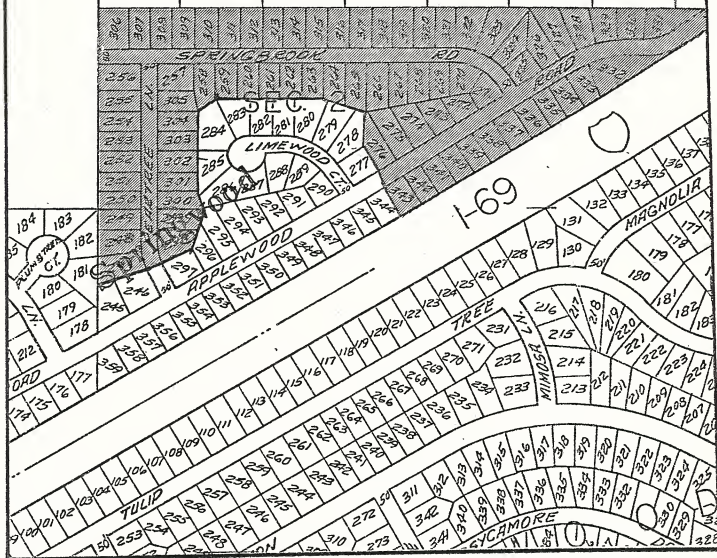
Certified and signed this  
7th day of February, 1977.

*Joseph N. Adair*

---

Joseph N. Adair  
Secretary

# CLEARVIEW ADD.



STREETS TO BE VACATED AND LOTS

9-22-76=

C-21

L.S.

6-76-10-13



DUNTEN, BECKMAN, LAWSON, FRUECHTENICHT & SNYDER

LAWYERS

FREDERICK A. BECKMAN  
JACK W. LAWSON  
THOMAS E. FRUECHTENICHT  
STEPHEN R. SNYDER

2410 FORT WAYNE BANK BUILDING  
FORT WAYNE, INDIANA 46802

LOUIE H. DUNTEN 1976

TELEPHONE  
423-1602

AREA CODE 219

January 27, 1977

Ms. Patsy Rumsey  
Allen County Plan Commission  
6th Floor City-County Building  
Fort Wayne, Indiana 46802

Re: Vacation of Plat of Springwood Section II

Dear Patsy:

This will confirm my telephone conversation with Gary Baeten on January 17, 1977, in which I requested withdrawal of the application for vacation of the plat of Springwood II from the Plan Commission hearing agenda on that date. The request was made to allow Amos Delagrange to correct some defects occurring in the Petition for Vacation filed in Circuit Court.

It is Mr. Delagrange's intent to amend the Petition for Vacation filed in Circuit Court, correct the defects and proceed with this matter including rescheduling the matter for hearing before the Plan Commission.

Very truly yours,  
DUNTEN, BECKMAN, LAWSON,  
FRUECHTENICHT & SNYDER

Stephen R. Snyder

SRS/cn



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

DATE 2-8-77 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

February 7, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chpater 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z- 76-11-24

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
7th day of February, 1977.

---

Joseph N. Adair  
Secretary







## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

February 7, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-76-11-24
2. From "R3" to "B1B"
3. Intended Use: Expansion of an existing restaurant (legal non-conforming)
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The existing uses in the immediate area are residential
- b. The street is not designed to accommodate anything other than residential uses.
- c. The off-street parking is inadequate.
- d. This request is spot zoning.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary Baeten (pr)*

Gary F. Baeten  
Land Use Administrator

GFB:pr  
ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 23, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-11-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan, and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

Certified and signed this  
7th day of February, 1977.

*Joseph N. Adair*

---

Joseph N. Adair  
Secretary

[illegible]

10-28-76

E-2

L.S.

3-76-11-24



## STAFF ANALYSIS

TO: CITY PLAN COMMISSION  
BILL NO. Z-76-11-24

PREPARED BY: GARY BAETEN  
DATE: January 17, 1977

### GENERAL INFORMATION

Applicant:	Willie Brooks
Status of Applicant:	Operator of Brook's Barbeque
Owner:	L.H.D. Realty Corp.
Requested Action	Rezoning from "R3" to "B1B"
Purpose:	To permit addition of storage room to Brook's Barbeque Restaurant
Existing Zoning	R3
Location:	The north 33 feet of the west 131 feet of Lot # 19 Lillie's Outlot
Size:	Addition
Existing Land Use:	32' x 131'
Surrounding Land Use & Zoning:	Brook's Barbeque
	Church immediately south of the restaurant with the remainder of the neighborhood residential
Applicable Regulations:	Restaurants are permitted in "B1B" Zoning districts

### SPECIAL INFORMATION

Transportation:	This request is on a narrow residential street that has parking on both sides
Parking:	Practically no provisions for off-street parking has been provided for the business.
Misc. Information:	The restaurant is presently a legal non-conforming use which means that it is not zoned business and cannot expand without proper zoning.

### ANALYSIS

The staff recommendation is DO NOT PASS. The reasons for this recommendation are:

1. The existing uses in the immediate area are residential
2. The street is not designed to accommodate anything other than residential uses.
3. The off-street parking is inadequate.
4. This request is spot zoning.



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

DATE 2-8-77 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

February 7, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-12-40

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this  
7th day of February, 1977.

Joseph N. Adair  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

February 7, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-76-12-40
2. From "RA" to "B1B"
3. Intended Use: C.B. Radio Sales and Service
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. This request is spot zoning. There are no commercial uses south of Ventura Lane, on the west side of Anthony Blvd. for approximately 1/2 mile.
- b. The approval of this petition would encourage future requests for similar zoning from Ventura Lane south.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

Gary F. Baeten  
Land Use Administrator

GFB:Pr  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 28, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-12-40; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

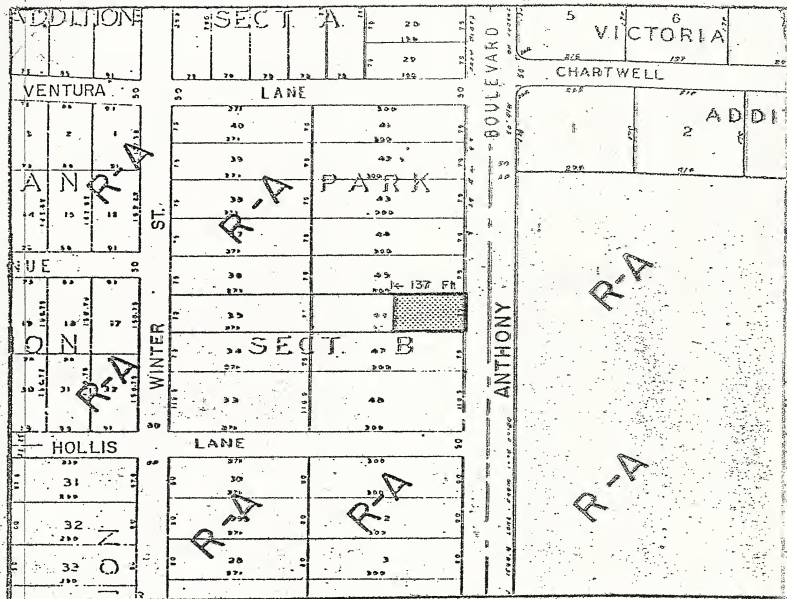
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.


Certified and signed this  
7th day of February, 1977.

*Joseph N. Adair*

---

Joseph N. Adair  
Secretary



 To be rezoned from R-A to B-I-B

11-23-76

C-12

LS

2-76-12-40





STAFF ANALYSIS

TO: CITY PLAN COMMISSION  
BILL NO.: Z-76-12-40

PREPARED BY: GARY BAETEN  
DATE: January 17, 1977

GENERAL INFORMATION

Applicant:  
Status of Applicant:  
Owner:  
Requested Action:  
Purpose:  
  
Existing Zoning:  
Surrounding Land Use & Zoning:

Steven Lee Michaels  
Occupant  
Hildegard Mueck  
Rezone from RA to B1B  
To legally operate "Michael's CB  
Discourt Center"  
RA

Anthony Blvd. - West Side  
Paulding Road to Ventura Lane -  
Two commercial uses: Shell Oil  
and Jett's Meats, with balance  
residential.  
Ventura Lane to Hollis Lane -  
all residential with exception of  
illegal C.B. Center on Lot # 46.  
Hollis Lane to Gable Road -  
Residential  
Gable Road to Southdale Avenue -  
residential  
Southdale Avenue to Gardendale -  
residential with the exception of  
legal non-conforming businesses  
called "Concrete Products" and  
legally zoned V.F.W. Post

Anthony Blvd. - East Side  
Paulding to Chartwell - Sun Oil  
Company., Helmsing's Restaurant,  
residential.  
Chartwell to Gladstone - Professional  
offices, Hammond Organ, residential,  
Victoria Square Shopping Center.  
Gladstone to Embassy - residential

Zoning on east side is residential  
with exception of S.E. corner of  
Paulding and Anthony & Victoria  
Square Shopping Center.

Zoning History:

Bill No. Z-65-05-09 - Lots # 43  
Thru # 45 Sylvan Park Addition.  
Change from "RA" to "B1"

Public Hearing:

June 14, 1965

Intended Use:

Commercial Bldg. for sporting  
and camping sales.

Bill No. Z-76-12-40

Commission Action:

DO NOT PASS

Council Action:

WITHDRAWN PRIOR TO VOTE

Bill No. Z-65-11-16Lots # 43 thru # 47 and Lots # 41  
and # 42, except the west 170' and  
Lot # 48 except the west 125'  
Sylvan Park Addition, Section "B"  
Change from "RA" to "B1"

Public Hearing

January 17, 1966

Intended Use:

Sporting Goods Store

Commission Action:

DO NOT PASS

COUNCIL ACTION:

DENIED

Bill No. Z-75-08-39Lots # 46 thru # 48  
Change from "RA" TO "R3"

Public Hearing

September 15, 1975

Intended Use:

Real Estate Office

Commission Action:

DO NOT PASS

Council Action:

DENIED

Applicable Regulations:

A retail business requires a  
"B1B" zoning classificationSPECIAL INFORMATION

Parking

There would be ample parking for the  
size of the business if it were  
zoned correctly.ANALYSIS

The staff recommendation is DO NOT PASS

1. This request without question is spot zoning.
2. The Building was a legal non-conforming barber shop which  
has reverted because of one (1) year vacancy requirement in  
the ordinance.

Bill No. Z-76-12-40

3. This use would not be legal even if the building had been in continuous use because the present use requires a higher zoning classification.
4. There are no business uses within the block

NOTE: Zoning Violation Notice issued November 8, 1976  
requiring stop of illegal operation by November 11, 1976  
(VOID)

Zoning Violation Notice issued November 10, 1976, requiring  
stop of illegal operation within 13 days or November 23, 1976

NOTICE NOT COMPLIED WITH BY OCCUPANT



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

DATE 2-8-77 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

February 8, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following  
dedicated public utility easement:

Starting at a point on the Southwest corner of Blk. 2, Ewing's Addition, proceed in a Northerly direction along the West property line for a distance to the edge of the river to the North property line; thence, in an Easterly direction along the North property line for a distance of 3 feet; thence, in a southerly direction along a line, parallel to the West property line for a distance to Superior Street to the South property line; thence in a Westerly direction along the South property line for a distance of 3 feet and to the point of starting.

which was approved by the City Plan Commission at its regular meeting held January 24, 1977.

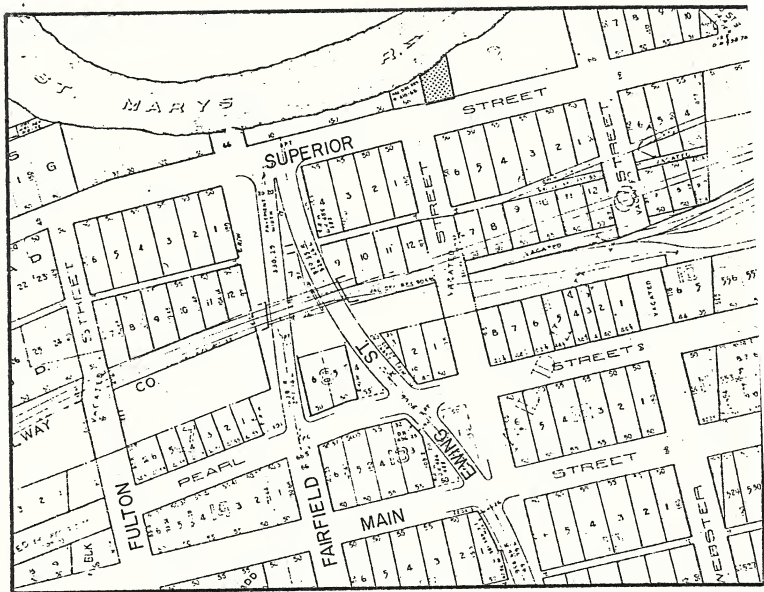
Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
8th day of February, 1977

Joseph N. Adair  
Secretary





To be vacated for Easement.

10-18-76

AA-3

L.S.

6-76-12-14



STAFF ANALYSIS

TO: CITY PLAN COMMISSION  
BILL No. C-76-12-14

PREPARED BY: GARY BAETEN  
DATE: January 17, 1977

GENERAL INFORMATION

Applicant  
Status of Applicant:  
Requested Action:  
Purpose:

Existing Zoning:  
Location:

Existing Land Use:  
Surrounding Land Use & Zoning

Board of Public Works  
Owner  
Vacation of Utility Easement  
Easement is of no use to  
the City  
M2  
South of Maumee River / North  
of Superior Street / East  
of Ewing Street  
Vacant  
Commercial & Industrial Uses  
"M2"

SPECIAL INFORMATION

Physical Characteristics:

The easement does not contain  
any public utilities

ANALYSIS

The staff recommends approval because there is no apparent reason  
to maintain the easement in public ownership.

## R E S O L U T I O N

WHEREAS, The City of Fort Wayne, by and through its Board of Public Works, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described public dedicated utility easement, in Allen County, Indiana, to-wit:

Starting at a point on the Southwest corner of Blk. 2 Ewing's Addition, proceed in a Northerly direction along the West property line for a distance to the edge of the river to the North property line; thence, in an Easterly direction along the North property line for a distance of 3 feet; thence, in a southerly direction along a line, parallel to the West property line for a distance to Superior Street to the South property line; thence in a Westerly direction along the South property line for a distance of 3 feet and to the point of starting.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing was held on Monday, January 17, 1977, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public dedicated utility easement.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Pland Commission that the vacation of said public dedicated utility easement hereinbefore described be and the same is hereby approved:

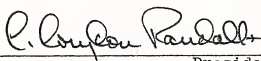
BE IT FURTHER RESOLVED that the acation of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets, alleys and dedicated utility easements, in Allen County, Indiana.

STATE OF INDIANA     )  
                          ) SS:  
COUNTY OF ALLEN     )

I, Rev. C. Corydon Randall, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on Monday, January 17, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 24th DAY OF January, 1977

FORT WAYNE CITY PLAN COMMISSION

  
\_\_\_\_\_  
Rev. C. Corydon Randall, President



President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety  
Regulatory Resolution Numbers: 4/77/E

For the purpose of enforcement, please make this communication and the  
attached Regulatory Resolutions a matter of record and incorporate them  
into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Albert N. Hepler", is written over the typed name.

Albert N. Hepler, Chairman  
Board of Public Safety

MADE A MATTER OF RECORD  
DATE 2-8-77 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 477/E

(Adopted January 25 , 19 77 )

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW AND EXTEND REGULATORY RESOLUTION 89/76E

NO PARKING (EMERGENCY) DELETE: (TWO HOUR PARKING)

(EMERGENCY)

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated January 24 , 19 77 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective January 25 ,

19 77 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING 8:00 AM - 9:00 AM and 3:00 PM - 4:00 PM WEEKDAYS ONLY (EMERGENCY)

Bowser Ave. -- west side -- from 60 ft. north of Emily St. to Hurd St.

DELETE:

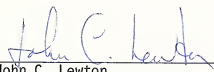
TWO HOUR PARKING 8:00 AM - 6:00 PM (EMERGENCY)

Bowser Ave. -- west side -- from Emily St. to Hurd St.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 4/77/E)

I hereby certify that I did this 25 day of January, 1977, deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 4/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted February 14, 1961.

  
\_\_\_\_\_  
John C. Lewton  
Executive Secretary

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public  
Safety Regulatory Resolution Numbers: 5/77/E

For the Purpose of enforcement, please make this communication and  
the attached Regulatory Resolutions a matter of record and in-  
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,



Albert N. Hepler, Chairman  
Board of Public Safety

MADE A MATTER OF RECORD  
DATE 2-7-77 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 5/77/E

(Adopted January 31, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW AND EXTEND REGULATORY RESOLUTION 91/76/E

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

SPEED LIMIT 40 MPH (EMERGENCY) ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated January 26, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective January 31,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

Pontiac St. -- from Oliver St. to 150 Ft. west of Gay St.

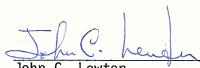
SPEED LIMIT 40 MPH (EMERGENCY)

Goshen Rd. -- from Sherman Blvd. to Coliseum Blvd.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 5/77/E)

I hereby certify that I did this 31 day of January, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 5/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted February 14, 1961.

  
John C. Lewton  
Executive Secretary

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public  
Safety Regulatory Resolution Numbers: 6/77/E

For the Purpose of enforcement, please make this communication and  
the attached Regulatory Resolutions a matter of record and in-  
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,



Albert N. Hepler, Chairman  
Board of Public Safety

MADE A MATTER OF RECORD  
DATE 2-2-77 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 6/77 /E

(Adopted January 18, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW AND EXTEND REGULATORY RESOLUTION 87/76/E

STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated January 17, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective January 18,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

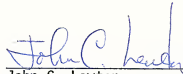
Arlington Ave. -- stop -- for Pasadena Dr.



RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 6/77/E)

I hereby certify that I did this 18 day of January, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 6/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted February 14, 1961.

  
\_\_\_\_\_  
John C. Lewton  
Executive Secretary

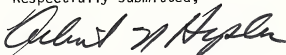
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public  
Safety Regulatory Resolution Numbers: 7/7/E

For the Purpose of enforcement, please make this communication and  
the attached Regulatory Resolutions a matter of record and in-  
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Albert N. Hepler".

Albert N. Hepler, Chairman  
Board of Public Safety

MADE A MATTER OF RECORD  
DATE 2-8-72 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 777 /E

(Adopted February 4, 1977)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW AND EXTEND REGULATORY RESOLUTION 92/76/E  
ONE WAY STREET (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated February 3, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective February 4,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

RENEW AND EXTEND REGULATORY RESOLUTION 92/76/E

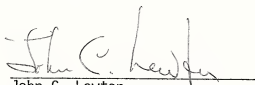
ONE WAY STREET (EMERGENCY)

Suttenfield St. -- westbound -- from Hanna St. to Lafayette St.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 7/77/E)

I hereby certify that I did this 4th day of February, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 7/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted February 14, 1961.

  
John C. Lewton  
Executive Secretary

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of February, 1977; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 9th day of February, 1977.

---

Charles W. Westerman  
City Clerk